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THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

SECURITY COUNCIL
Forty-ninth year

Letter dated 28 December 1994 from the Secretary-General to the President of the General Assembly and to the President of the Security Council

In January of this year, in their Framework Agreement for the Resumption of the Negotiating Process (A/49/61-S/1994/53, annex) the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) agreed to request me to appoint a moderator of the negotiations. The parties also requested that the United Nations verify the implementation of all agreements reached between them. At the same time, they committed themselves to reaching a final peace agreement during 1994. In March 1994, they reaffirmed in the Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace in Guatemala (A/48/928-S/1994/448, annex II) their commitment to the goal of concluding the negotiating process by the end of 1994.

The first half of 1994 saw significant advances in the peace process in Guatemala. They were noted with satisfaction by the General Assembly in its resolution 49/137 of 19 December 1994 on Central America. They included the signing, earlier this year, of several important agreements on human rights, the resettlement of people displaced by the armed conflict and the clarification of human rights violations and acts of violence committed during the armed confrontation. On that basis, I recommended to the Assembly, in my report of 18 August 1994 (A/48/985), that without waiting for the signing of a final peace agreement, it should authorize the establishment of the Mission for the Verification of Human Rights and of Compliance with the Comprehensive Agreement on Human Rights (MINUGUA), as requested by the parties.

The latter half of 1994 has, however, seen a stagnation of the negotiating process. URNG did not agree to resume negotiations until 20 October, arguing that the Government was not meeting its commitments under the Comprehensive Agreement on Human Rights. The last round of talks, which began two months ago, has not yet resulted in the expected agreement on identity and rights of the indigenous people. It is now clear that the time-frame that the parties decided upon in the Framework Agreement and the Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace will have to be revised.

This setback is a cause for concern: it means a prolongation of the long-armed confrontation in Guatemala. It undermines national as well as international confidence in the peace negotiations. And it compromises the effectiveness of MINUGUA. As I indicated in the above-mentioned report to the General Assembly, human rights verification must be set in the context of wider efforts to end the armed conflict and promote the rule of law, in particular the negotiating process between the Government of Guatemala and URNG.

My concern that the negotiating process should regain momentum is shared by the General Assembly. In the above-mentioned resolution, the Assembly calls upon those concerned to advance speedily in the Guatemalan peace process in order to achieve, as close as possible to the 31 December deadline, agreement on a firm and lasting peace in keeping with commitments made in the Framework Agreement.

It is important that as the year 1994 comes to an end, the parties to the Guatemalan peace process should renew their commitment to a dynamic negotiation that offers clear prospects for an early and just settlement of the conflict. To this end, I have written to the President of Guatemala and to the leadership of URNG to express the concerns outlined above and request them to renew their commitment to the negotiating process as envisaged in the Framework Agreement. I have pointed out that the United Nations involvement cannot be a substitute for the parties' firm political will to negotiate and implement, seriously and resolutely, a peace settlement. I have accordingly asked them to indicate the steps they would be prepared to take to enable the peace negotiations to regain their momentum and to achieve, as the General Assembly requested, agreement on a firm and lasting peace as close as possible to the 31 December deadline. I will report to the Assembly accordingly.

(Signed) Boutros BOUTROS-GHALI